

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

STATE OF NEW YORK,

Plaintiff,

-v-

ARM OR ALLY, LLC, et al.,

Defendants.

22-CV-6124 (JMF)

ORDER

JESSE M. FURMAN, United States District Judge:

On February 24, 2023, counsel for Indie Guns, LLC, Waugh Grant, PLLC, renewed its motion to withdraw as Defendant's counsel. *See* ECF No. 138. On March 2, 2023, at the Court's direction, counsel filed *ex parte* declarations further explaining the need to withdraw. Upon review of the declarations, the Court agrees that withdrawal is appropriate and accordingly GRANTS Waugh Grant's motion to withdraw.


Indie Guns, LLC is granted **two weeks from the date of this Order** to find new counsel. Unless and until the Court orders otherwise, all deadlines remain unchanged.

If Indie Guns, LLC does not enter a notice of appearance through counsel within two weeks, Plaintiff shall file a letter proposing next steps — including whether the Court should entertain default judgment motion practice, *see, e.g., Grace v. Bank Leumi Tr. Co. of N.Y.*, 443 F.3d 180, 192 (2d Cir. 2006); *Arch Ins. Co. v. Sky Materials Corp.*, No. 17-CV-2829 (CBA), 2021 WL 966110, at *4 (E.D.N.Y. Jan. 29, 2021) (collecting cases), or defer such motion practice until after a ruling on Defendants' motion to dismiss.

Waugh Grant, PLLC is directed to serve a copy of this Order on Indie Guns, LLC by **March 7, 2023**, and to file proof of such service on the docket by **March 8, 2023**. The Clerk of Court is directed to terminate ECF No. 138 and to terminate Waugh Grant, PLLC as counsel.

SO ORDERED.

Dated: March 6, 2023
New York, New York



JESSE M. FURMAN
United States District Judge